

JUN 13 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thomas J. Hayes et al.

Confirmation No. 1477

Application No.: 10/620,650

Group Art Unit: 3727

Filing Date: July 16, 2003

Examiner: Stephen Castellano

For: BASE FOR CONTAINERS

Attorney Docket No.:
077410.0467

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Petitioner, Paul L. Rodriguez, represents that he is Assistant Secretary for Pactiv Corporation, and is an attorney of record for the present application. Petitioner states that Pactiv Corporation is the Assignee of the entire interest in and to the above-identified application by virtue of an assignment which was filed on July 19, 2001, at reel 012015 frame 0779. This disclaimer is made by Petitioner on behalf of, and for the benefit of, the Assignee.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of a U.S. Patent No. 6,619,501, filed on July 19, 2001, which expiration date includes any available patent term extension, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,619,501.

Petitioner further agrees that this agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No.

NY02:550621.1
NY:997447.1

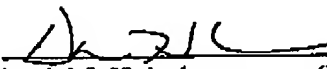
6,619,501 in the event that U.S. Patent No. 6,619,501 later expires: for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms and states in accordance with 37 C.F.R. § 3.73(b) that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the Assignee seeking to take action in this matter, and that he is empowered to act on behalf of Assignee.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 13th day of June, 2006.

Pactiv Corporation


Daniel J. Hulseberg (Reg. No. 36,554)
for Paul L. Rodriguez (Reg. No. 40,788)